

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Natalie Garritano

Debtor

Toyota Motor Credit Corporation

Movant

v.

Natalie Garritano

Respondent

and

Ronda J. Winnecour, Trustee

Additional Respondents

No. 17-23282 CMB

CHAPTER 13

Related to Doc. 46, 49

**STIPULATION AND ORDER**

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Movant has filed a motion for relief from the automatic stay;

WHEREAS, Debtor has filed a response opposing the motion for relief from the automatic stay.

It is therefore Stipulated and agreed as follows:

1. The automatic stay is terminated as it affects the interests of the Movant with respect to the 2013 TOYOTA SCION XD , VIN:JTKKUPB42D1038604, provided however, that relief from stay is stayed in accordance with the conditions set forth in Paragraphs 2-5, below.
2. On a go-forward basis from and after the date of the Order approving this Stipulation, the Debtor shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due.
3. Time is of the essence as to all plan payments going forward.

4. For the duration of this bankruptcy case, in the event that the Chapter 13 Trustee has not received a full plan payment by the last day of the month in which the Debtor's payment is due, as indicated by the Chapter 13 Trustee's online records, then the stay provided in Paragraph 1, above, shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with respect to the 2013 TOYOTA SCION XD , VIN:JTKKUPB42D1038604, upon the filing of an Affidavit of Default by Movant, without further hearing or without entry of an additional order, unless the Trustee has received payment of the full amount of the delinquent payment(s) within fifteen (15) days from the date the Affidavit of Default is filed. Such Affidavit of Default shall contain a statement of default as supported by the Movant's own records as well as the records of the Chapter 13 Trustee.

5. Relief from the automatic stay shall be effective immediately upon conversion of Debtor's case to a case under Chapter 7.

6. In the event that the automatic stay is terminated as provided by this Order, then the Trustee shall make no further disbursements to Respondent on account of its secured claim, unless directed otherwise by further Order of Court.

**/s/ Natasha C. Alejandro, Esquire**

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**/s/ James C. Warmbrodt, Esquire**

James C. Warmbrodt, Esquire  
KML Law Group, P.C.  
Attorney for Movant  
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/s/ Owen Katz, Esquire

Attorney for Chapter 13 Trustee  
US Steel Tower-Suite 3250  
Pittsburgh, PA 15219

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,

FILED  
8/6/18 2:42 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

  
dms

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Natalie Garritano  
Debtor

Case No. 17-23282-CMB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dsaw  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Aug 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 08, 2018.

db +Natalie Garritano, 717 Penn Street, Brackenridge, PA 15014-1148

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 08, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 6, 2018 at the address(es) listed below:

Glenn R. Bartifay on behalf of Plaintiff Natalie Garritano gbartifay@bartifaylaw.com,  
sfallat@bartifaylaw.com;jterek@bartifaylaw.com;nalejandro@bartifaylaw.com;gbartifay@yahoo.com  
Glenn R. Bartifay on behalf of Debtor Natalie Garritano gbartifay@bartifaylaw.com,  
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James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor Franklin American Mortgage Company  
bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Defendant Toyota Motor Credit Company bkgroup@kmlawgroup.com  
Joseph A. Dessoye on behalf of Creditor PENNYMAC LOAN SERVICES, LLC pawb@fedphe.com  
Mario J. Hanyon on behalf of Creditor PENNYMAC LOAN SERVICES, LLC pawb@fedphe.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
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TOTAL: 9